


COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT14-31. Administrative Penalty Actions

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended, to make determinations of violations under Section 109, to assess penalties, to issue notices, orders or complaints, and to compile the administrative record upon which the violation was found or the penalty was imposed, and to negotiate and sign consent orders memorializing settlements under Section 109 between the U.S. Environmental Protection Agency and respondents.
2. **TO WHOM DELEGATED.** Regional counsel.
3. **LIMITATIONS.**
 - a. The delegatee must notify the assistant administrator for Office of Land and Emergency Management and the AA for the Office of Enforcement and Compliance Assurance or designees when exercising any of the above authorities.
 - b. The delegatee must obtain the concurrence of the director or designee, Superfund and Emergency Management Division, before issuing notices, orders, complaints or consent orders.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the section chief level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. All applicable Agency guidance and directives.
 - b. CERCLA § 109.



Debra H. Thomas
Acting Regional Administrator

APR 29 2019

Date